

## Message Text

CONFIDENTIAL

PAGE 01 PARIS 10111 01 OF 03 241624Z  
ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 DODE-00 NSAE-00 USIA-06  
TRSE-00 SOE-02 DOE-15 CIAE-00 COME-00 EA-10  
ACDA-12 /066 W  
-----121553 241716Z /45  
R 241559Z MAR 78  
FM AMEMBASSY PARIS  
TO SECSTATE WASHDC 9104

C O N F I D E N T I A L SECTION 01 OF 03 PARIS 10111

USOECD

EXCON

E.O. 11652: XGDS1  
TAGS: ESTC, COCOM, FR, UR, US  
SUBJECT: US STRETCH FORM PRESS TO THE USSR IL 1081  
(CYRIL BATH CASE)

REFS: A) COCOM DOC (78)108 B) STATE 69891  
C) PARIS 8430 D) STATE 64072 E) STATE 40611  
F) PARIS 7278

1. ALL ACTIVE COCOM MEMBERS EXCEPT CANADA (AND DENMARK WHO WAS ABSENT) RESERVED THEIR POSITION ON REFCASE AT COCOM MEETING MARCH 22 AND CASE WAS AUTOMATICALLY RESCHEDULED WITH AN APRIL 4 DATE LIMIT. (NEXT REGULAR COCOM MEETING IS APRIL 11.) AS EXPECTED, UK DEL ASKED FOR MORE DETAILED END USE INFORMATION. HE ALSO INQUIRED AS TO HOW LONG THE PARTICULAR U.S. PRESS WAS FIRST PRODUCED. NETHERLANDS AND GERMAN DELEGATIONS ASSOCIATED THEMSELVES WITH UK QUESTIONS. GERMAN DEL ALSO ASKED TWO ADDITIONAL QUESTIONS ON INSTRUCTIONS FROM HIS AUTHORITIES, WHICH HE NOTED HAD PROBABLY ALREADY BEEN ANSWERED BY US PRELIMINARY  
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 PARIS 10111 01 OF 03 241624Z

STATEMENT AT MARCH 14 MEETING. THESE QUESTIONS WERE:  
(1) ON THE BASIS OF WHAT TECHNICAL CHARACTERISTICS THIS STRETCH FORM PRESS WAS CONSIDERED BY THE U.S. AUTHORITIES TO BE "SPECIALLY DESIGNED" FOR THE WORKING OR FORMING OF AIRCRAFT SHEET, PLATE OR EXTRUSION, (2) WHAT EMBARGOED PARTS OF THE PRESS WERE CONSIDERED "PRINCIPAL ELEMENTS" JUSTIFYING THE EMBARGO

OF THE ENTIRE MACHINE BY VIRTUE OF A.P. 3." US DEL  
CONFIRMED THAT ANSWER TO GERMAN QUESTIONS WAS  
CONTAINED IN US STATEMENT AT MARCH 7 MEETING (REF C).  
US DEL ALSO PROVIDED RESPONSE TO MORE END USER  
INFORMATION PURSUANT TO REF B.UK, NETHERLANDS AND  
GERMAN RESERVES, HOWEVER, ARE STILL MOTIVATED BY  
QUESTION REGARDING WHEN MACHINE MODEL FIRST PRODUCED.  
CANADA INDICATED IT COULD APPROVE CASE.

2. REMAINDER OF DISCUSSION ON REFCASE LARGELY  
CENTERED ON FRENCH STATEMENT ATTEMPTING TO DISTINGUISH  
US EQUIPMENT FROM THAT AUTHORIZED FOR EXPORT FROM  
FRANCE. FRENCH DEL STATED THAT HIS AUTHORITIES  
AGREED THAT US PRESS WAS SPECIALLY DESIGNED FOR  
AERONAUTIC INDUSTRY AND CITED A NUMBER OF FEATURES  
US PRESS INCORPORATED WHICH FRENCH PRESSES DID NOT  
HAVE. FRENCH DEL ALSO INFORMED THE COMMITTEE THAT  
THE RELEVANT COCOM PROVISION FOR THE FRENCH PRESSES  
WAS IL 1072 (B) BUT THAT BECAUSE THE FRENCH MACHINES  
FORMED METAL AND ALLOYS WITH MELTING POINTS BELOW  
1,900 DEGREES C(3,452F) THEY WERE NOT EMBARGOED.  
COMPLETE TEXT OF FRENCH STATEMENT FOLLOWS:

3. (UNOFFICIAL TRANSLATION) THE FRENCH DELEGATION  
STATED AT THE LAST COCOM MEETING THAT THE FRENCH  
AUTHORITIES WOULD SUBSEQUENTLY COMMENT ON THE UNITED  
STATES MEMORANDUM AND WOULD GIVE THE REASONS WHY THE  
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 PARIS 10111 01 OF 03 241624Z

U.S. AUTHORITIES OUGHT NOT TO HAVE CITED THE FRENCH  
MACHINE, WHICH WAS QUITE DIFFERENT FROM THE PRESS  
PROPOSED FOR EXPORT IN 108. THE FRENCH AUTHORITIES  
HAVE STUDIED THE U.S. DIAGRAM AND HAVE NOTED THAT  
THE U.S. MACHINE HAS: 1) SWIVEL CYLINDERS WITH GRIP  
JAWS; 2) A DEVICE WITH A CIRCULAR TRACK OF  
HELICOIDAL SHAPE, AND VERTICAL MOTION CYLINDERS FOR  
THE VERTICAL DISPLACEMENT OF THE JAW ASSEMBLY;  
3) TENSION CYLINDERS TO PERMIT TILTING OF THE JAW-  
ASSEMBLY CROSSRAIL. THESE THREE DEVICES WERE  
SPECIALLY DESIGNED FOR THE FORMING OF "STRESSKIN"  
PANELS THE LATTER BEING HONEYCOMB PANELS CONSISTING  
OF TWO PARALLEL PLANE SHEETS WITH HONEYCOMB STRUCTURE

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 PARIS 10111 02 OF 03 241624Z  
ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 DODE-00 NSAE-00 USIA-06  
TRSE-00 SOE-02 DOE-15 CIAE-00 COME-00 EA-10  
ACDA-12 /066 W

-----121569 241717Z /45

R 241559Z MAR 78  
FM AMEMBASSY PARIS  
TO SECSTATE WASHDC 9105

C O N F I D E N T I A L SECTION 02 OF 03 PARIS 10111

FILLING. THIS LIGHT, YET VERY THICK, STRUCTURE PERMITS GREAT RIGIDITY. WITH THESE THREE DEVICES THE US PRESS CAN: 1) AVOID ANY WRAPPING (BENDING) AT THE RIGHT CORNER ANGLES OF THE JAWS WHICH WOULD BREAK THE PANELS, AND 2) FORM CONICAL ELEMENTS FROM THESE THICK PANELS. THE PRESS WAS THEREFORE SPECIALLY DESIGNED FOR THE AERONAUTICAL INDUSTRY AND WAS COVERED BY IL 1081(A). THE FRENCH AUTHORITIES RECALL THAT THEY THEMSELVES HAD NOT AUTHORIZED THE EXPORT OF THE SAME TYPE OF PRESS TO AVTO PROMIMPORT. ON THE OTHER HAND THE FRENCH AUTHORITIES CONSIDER THE PRESSES TO WHICH THE U.S. DELEGATION REFERRED IN COCOM DOC (78) 108 TO BE QUITE DIFFERENT, SINCE THEY DID NOT INCLUDE ANY OF THE AFOREMENTIONED DEVICES. THE MACHINES WHOSE EXPORT TO THE USSR THE FRENCH AUTHORITIES ARE PROPOSING TO ALLOW ARE USED TO FORM THIN SHEET. THEY ARE GENERAL PURPOSE AND WOULD FALL UNDER IL 1072(B) BUT, BECAUSE THEY FORM METAL AND ALLOYS WITH A MELTING POINT BELOW 1,900 DEGREES C (3,452 DEGREES F), THEY ARE NOT EMBARGOED. THE FRENCH DELEGATION WOULD LIKE TO STRESS THAT ITS AUTHORITIES FIND THE PROCEDURE USED IN THIS INSTANCE BY THE US AUTHORITIES TO BE SURPRISING. IT IS CLEAR THAT THE

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 PARIS 10111 02 OF 03 241624Z

US AUTHORITIES HAVE A DIFFERENT INTERPRETATION OF THE COVERAGE OF IL 1081 AND, IF THEY CONSIDER THE PRESENT DEFINITION OF THAT ITEM TO BE INAPPROPRIATE, THEY SHOULD PERHAPS SUGGEST SOME AMENDMENT AND THE COMMITTEE COULD THEN REACH A DECISION THEREON."

4. BELGIAN DEL ALSO MADE STATEMENT CRITICIZING US USE OF EXCEPTION REQUEST--APPARENTLY AS A FACADE-- TO BRING AN ISSUE BETTER HANDLED IN THE EXPORT CONTROL SUBCOMMITTEE, TO THE FULL COMMITTEE'S ATTENTION AND TO THEREBY EVIDENCE A SERIOUS DISTRUST OF ANOTHER COCOM MEMBER.

5. USDEL RESPONDED TO THE ABOVE FRENCH AND BELGIAN REMARKS BY STATING THAT THE UNITED STATES OF COURSE BELIEVED THAT U.S. PRESS HAD FEATURES WHICH INDICATED THAT IT WAS SPECIALLY DESIGNED FOR THE AERONAUTIC INDUSTRY AND THAT THAT WAS WHY US HAD SUBMITTED AN EXCEPTION REQUEST. USDEL AGAIN STATED THAT (A) US INTENTION WAS TO GET APPROVAL FOR ITS EXCEPTION REQUEST AND (B) THAT THE PRINCIPAL JUSTIFICATION FOR THIS REQUEST BEING GRANTED WAS THE EXPORT OF COMPARABLE EQUIPMENT FROM FRANCE AND THE SERIOUS INEQUITY WHICH WOULD OTHERWISE RESULT FROM AN UNEQUAL ENFORCEMENT OF THE EMBARGO RESTRICTIONS. THE USDEL ALSO RECALLED US STATEMENT IN ITS MEMORANDUM THAT U.S. WOULD BE WILLING TO WITHDRAW CASE IF ITS INFORMATION PROVED ERRONEOUS. WHILE US DEL APPRECIATED THE ADDITIONAL INFORMATION SUPPLIED BY THE FRENCH DELEGATE REGARDING THE CHARACTERISTICS OF THE FRENCH PRESSES, HE DID NOT BELIEVE THAT THE INFORMATION SUPPLIED WAS SUFFICIENT TO ALLOW SUCH A DETERMINATION TO BE MADE. USDEL THEREFORE CONFIDENTIAL

CONFIDENTIAL

PAGE 03 PARIS 10111 02 OF 03 241624Z

INVITED FRENCH DEL AGAIN TO PROVIDE DETAILED INFORMATION, BROCHURES, PICTURES OR DIAGRAMS OF THE FRENCH MACHINES INVOLVED. THIS WOULD NOT ONLY ASSIST

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 PARIS 10111 03 OF 03 241627Z

ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 DODE-00 NSAE-00 USIA-06  
TRSE-00 SOE-02 DOE-15 CIAE-00 COME-00 EA-10

ACDA-12 /066 W

-----121572 241718Z /45

R 241559Z MAR 78

FM AMEMBASSY PARIS

TO SECSTATE WASHDC 9106

C O N F I D E N T I A L SECTION 03 OF 03 PARIS 10111

THE COMMITTEE IN DETERMINING WHETHER OR NOT THE US AND FRENCH MACHINES WERE COMPARABLE, BUT WOULD ALSO SHOW HOW THE FRENCH AND AMERICAN INTERPRETATIONS MIGHT DIFFER THEREBY FACILITATING RESOLUTIONS OF THESE DIFFERENCES.

6. FRENCH DEL REJOINED STATING THAT HE PERSONALLY DID NOT BELIEVE THAT HIS AUTHORITIES WOULD WISH TO PRESENT INFORMATION TO COCOM ON EQUIPMENT WHICH DID NOT FALL WITHIN COCOM'S JURISDICTION I.E. VIEWED BY THE FRENCH AS UNEMBARGOED. THE FRENCH DEL ALSO REFUSED AN INVITATION BY THE U.S. DEL THAT THIS INFORMATION BE PROVIDED BILATERALLY BY STATING THAT SINCE THE COMMITTEE WAS NOW APPRISED OF THIS SITUATION, FRANCE WOULD BE UNWILLING TO PROVIDE ANY INFORMATION BEHIND THE COMMITTEE'S BACK.

7. USDEL RETORTED THAT THE COMMITTEE OFTEN RECEIVED BROCHURES AND TECHNICAL DESCRIPTIONS OF UNEMBARGOED EQUIPMENT AND THAT WHILE USDEL RECOGNIZED THAT FRANCE WAS NOT OBLIGED TO PRESENT SUCH ADDITIONAL INFORMATION TO THE COMMITTEE, THAT THEIR VOLUNTARILY DOING SO IN THIS CASE WOULD GREATLY FACILITATE THE CONFIDENTIAL

CONFIDENTIAL

PAGE 02 PARIS 10111 03 OF 03 241627Z

TASK OF THE COMMITTEE IN THIS CASE AND HELP RESOLVE THIS WHOLE QUESTION.

8. COMMENT: USDEL FINDS FRENCH TECHNICAL RESPONSE PUZZLING AND WONDERS IF FRENCH HAVE NOT CONFUSED CYRIL BATH STRETCH FORM PRESS INVOLVED IN THIS CASE WITH DIFFERENT PRESS CITED REFTEL D. IF THIS IS THE CASE, USDEL WOULD FIND IT HELPFUL TO PROVIDE COMMITTEE WITH DETAILED TECHNICAL STATEMENT ON HOW PRESS IN U.S. CASE DIFFERS FROM ONE DESCRIBED BY FRENCH. SUCH A STATEMENT MIGHT LEAD THE OTHER COMMITTEE MEMBERS TO PUSH FRENCH FOR FURTHER CLARIFICATION REGARDING THEIR EQUIPMENT. USDEL HOWEVER DOUBTS THAT FURTHER EFFORTS IN THE COMMITTEE TO OBTAIN ADDITIONAL INFORMATION FROM FRENCH REGARDING THEIR PRESSES

WOULD BE SUCCESSFUL.  
SALZMAN

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** NEGOTIATIONS, EXCEPTIONS LIST, EXPORT LICENSES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 24 mar 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978PARIS10111  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** X1  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D780130-0786  
**Format:** TEL  
**From:** PARIS USOECD  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1978/newtext/t19780328/aaaaaxlt.tel  
**Line Count:** 280  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** 96ef37be-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION EB  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 6  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 78 STATE 69891  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 18 may 2005  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 3212110  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** US STRETCH FORM PRESS TO THE USSR IL 1081 (CYRIL BATH CASE)  
**TAGS:** ESTC, FR, US, COCOM  
**To:** STATE  
**Type:** TE  
**vdkgvwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/96ef37be-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014